

## **REMARKS/ARGUMENTS**

The Office Action dated December 19, 2005 has been carefully considered. Claims 1-14 are presently pending in the application with claims 15-25 previously withdrawn as result of Applicant's provisional election made by Applicant's attorney in a telephone conversation with the Examiner on October 30, 2005. By the present Amendment, claim 1 has been amended in order to clarify the features of the present application and claims 2, 3 and 5 have been canceled without prejudice or disclaimer.

Applicant hereby confirms the provisional election of the claims of Group I, claims 1-14, which was made during the Examiner's telephone conversation with Applicant's attorney.

Claims 1-14 have been rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Reconsideration of this rejection is respectfully requested.

With regard to the rejection under §112, the Examiner contends that in claim 1 it is unclear whether or not a tubular article is actually molded. The Examiner suggests that the limitations of claim 5 be inserted into claim 1. By the present Amendment, claim 1 has been amended in order to further clarify the features of the present application and substantially includes the limitations of claim 5. It is respectfully submitted that claim 1, as amended herein, particularly points out and distinctly claims the subject matter that Applicant regards as the invention.

Accordingly, it is respectfully requested that the rejection of claims 1-14 under 35 U.S.C. §112 be reconsidered and withdrawn.

Claims 1, 3, 5, 6, 10, 12, 13 and 14 have been rejected under 35 U.S.C. §102(a) as allegedly anticipated by U.S. Patent No. 6,503,430 to Downey. Reconsideration of this rejection is respectfully requested.

The Examiner contends that Downey teaches all the elements of claim 1 of the present application. In particular, the Examiner makes reference to column 7, lines 17-28 and Figures 1-7 of Downey.

Claim 1, as amended herein, relates to a molding process for manufacturing a tubular molded article wherein a "second molded part is formed by placing said first molded part

together with said supporting member in a second mold, introducing said second molding material into said second mold so as to form a molded layer that surrounds said first molded part and that has a portion filling said decorating indentation to define said second molded part, and removing said molded layer from said first molded part except for said second molded part, said first and second molded parts having outer surfaces, respectively, which lie in the same cylindrical plane.”

Downey, as understood by Applicant, relates to an injection molding system for molding a hollow plastic article. In Downey, a first stage molding is apparently performed in a first stage mold 31 utilizing molding blocks 32 and 34 with molding core 40, for example, positioned between the molding blocks. When the molding blocks are separated, support 44 appears to rotate around an axle 46 to move the core 40 from the first stage mold 31 to a position between molding blocks 36 and 38 of the second stage mold 35. Thereafter, the second stage appears to be molded.

However, Downey fails to disclose a molding process for manufacturing a tubular molded article in which a second molded part is formed by “introducing said second molding material into said second mold so as to form a molded layer that surrounds said first molded part and that has a portion filling said decorating indentation to define said second molded part and removing said molded layer from said first molded part except for said second molded part,” as required by amended claim 1 of the present application.

Amended claim 1 is clearly distinguishable from Downey at least because Downey does not disclose removing said molded layer from said first molded part except for said second molded part. Indeed, such a step in Downey would be detrimental since the band 20, for example, of the first molded object and a band 18 of the first molded object, appear to extend all the way to the interior surface 98 of the block 36 as illustrated in Fig. 7 of Downey. Thus, if one were to remove second molded material from the first molded object in Downey, the entire second molded object would be removed.

Accordingly, it is respectfully submitted that claim 1, and the claims depending therefrom, are patentable over the cited art for at least the reasons described above.

Claims 4, 7, 9 and 11 have been rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Downey. Reconsideration of this rejection is respectfully requested.

Claims 4, 7, 9 and 11 all depend from independent claim 1, either directly or indirectly. As noted above, it is respectfully submitted that independent claim 1, as amended herein, is patentable over Downey for at least the reasons described above. Accordingly, it is respectfully submitted that claim 1 and the claims depending therefrom, including claims 4, 7, 9 and 11 are patentable over the cited art for at least the reasons described above.

In light of the remarks and amendments made herein, it is respectfully submitted that the claims of the present application are patentable over the cited art and are in condition for allowance.

Favorable reconsideration of the present application is respectfully requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: March 16, 2006, 2006

Keith J. Barkaus

Name of applicant, assignee or  
Registered Representative



Signature

March 16, 2006

Date of Signature

Respectfully submitted,



Keith J. Barkaus

Registration No.: 51,431

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

RCF/KJB:jl